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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/357,941	07/16/1999	EDWARD B. KNUDSON	UV-114	9900

7590

05/26/2004

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EXAMINER

BUI, KIEU OANH T

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 05/26/2004

22

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/357,941

Applicant(s)

KNUDSEN ET AL.

Examiner

KIEU-OANH T BUI

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16,37 and 58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16,37 and 58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>21</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restriction

1. Pending claims were 1-16, 18-20, 22-37, 39-41, 43-58, 60-62, and 64-81. In response to election/restriction requirement (paper 17), applicants elect, without traverse, claims 16, 37, and 58 for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 16, 37, and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Youman et al. (U.S. Patent No. 5,629,733) in view of White et al. (US Patent 5,596,373).

Regarding claim 16, Youman discloses “an interactive television program guide system” (Fig. 1 for an interactive TV program guide system) comprising: “a program guide data source for providing program guide data comprising program listings”, i.e., television stations, satellite TV, cable stations provide program guide data source with program listings (as shown in Fig. 18 with program guide listings); “and an interactive television program guide implemented on interactive television program guide equipment having user television equipment, wherein the interactive television program guide is configured to: display on the user television equipment at least a portion of the program listings in a display screen in response to a user searching for programs by titles”, i.e., the user can search for programs by titles (as shown in Figs. 38D, 38E and 38F, and col. 30/line 60 to col. 32/line 15 for the process of searching programs by titles).

Youman does not further disclose the step of “wherein program listings for similar titles are represented only once in the display screen”; however, this technique is known in the art. In fact, White, in a same environment of providing interactive electronic program guide to users, teaches an exact same technique of representing similar titles within program listings only once in the display screen (White, Fig. 8 for representing program titles within a program guide listing, and Fig. 9/step 940 as duplicate titles are eliminated and then display list is generated to the user at step 950, see col. 7/lines 35-45). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Youman’s technique of searching program titles in the electronic program guide with White’s modified technique of eliminate duplicate titles in order to reduce multiple entries and saving spaces on the program listings because pay-per-view programs are multiple repeating programs in every half hour and on every channels can be condensed as suggested by White.

As for claims 37 and 58, these two claims for a same interactive television program guide and a same method of displaying program titles “wherein program listings for similar titles are represented only once in the display screen” are rejected for the same reasons given in the scope of claim 16 as stated above (repetition is not necessary herein).

Conclusion

4. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9306, (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park IV, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (703) 305-0095. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM, with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Krista Bui
Art Unit 2611
May 20, 2004



**KRISTA BUI
PATENT EXAMINER**